Other:		BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA COVER SHEET DOCKET NUMBER: 2015 _ 53 _ E		
Submitted by: Bonnie Loomis Address: 1201 Main Street, St	uite 1100	SC Bar Number: 15928 Telephone: 803-719- Fax: 803-748-		
NOTE: The cover sheet and information	on contained herein neither replaces	Other: Email: bonnie@thepalladia nor supplements the filing and serv	rice of pleadings or other papers	
Other:	in petition	equest for item to be placed on peditiously E OF ACTION (Check all th		
Electric		Letter	Request	
☐ Electric/Gas	Agreement	Memorandum	Request for Certification	
☐ Electric/Telecommunications	Answer	Motion	Request for Investigation	
Electric/Water	Appellate Review	Objection	Resale Agreement	
Electric/Water/Telecom.	Application	Petition	Resale Amendment	
Electric/Water/Sewer	Brief	Petition for Reconsideration	Reservation Letter	
Gas	Certificate	Petition for Rulemaking	Response	
Railroad	Comments	Petition for Rule to Show Cause	Response to Discovery	
Sewer	Complaint	Petition to Intervene	Return to Petition	
Telecommunications	Consent Order	Petition to Intervene Out of Time	Stipulation	
Transportation	Discovery	Prefiled Testimony	Subpoena	
Water	Exhibit	Promotion	Tariff	
Water/Sewer	Expedited Consideration	Proposed Order	Other:	
Administrative Matter	Interconnection Agreement	Protest		
Other:	Interconnection Amendment	Publisher's Affidavit		
	Late-Filed Exhibit	Report		
	Print Form	Reset Form		

BEFORE THE PUBIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKET NO. 2015-53-E

In re:	
)	PETITION TO INTERVENE
Application of Duke Energy Progress, Inc.)	OF THE
To Establish a Distributed Energy Resource)	S.C. SOLAR BUSINSS ALLIANCE
Program)	

Pursuant to Public Service Commission Regulation 103-825 and other applicable provisions of the South Carolina Public Service Commission's ("Honorable Commission" and "Commission") Rules of Practice and Procedure, the South Carolina Solar Business Alliance, LLC ("SCSBA" or "Petitioner") hereby timely files this Petition to Intervene in the above-captioned proceeding. In support of this Petition, SCSBA respectfully shows unto this Honorable Commission the following:

- 1) SCSBA is a limited liability corporation ("LLC") organized October 21, 2009, pursuant to Chapter 44 of Title 33 of the South Carolina Code of Laws and, since that date, remaining in good standing with the South Carolina Secretary of State.
- 2) SCSBA's principal place of business is currently co-located with that of Sustainable Energy Solutions, LLC at 804 Meeting Street, Charleston, South Carolina, 29403 and mailing address is currently co-located with that of the Hannah Solar Government Services, LLC at 3297 Pacific Street, North Charleston, South Carolina, 29418.
- 3) Petitioner is represented in this proceeding by:

Bonnie Loomis 1201 Main Street, Suite 1100, Columbia, South Carolina 29201

Telephone: 803-719-6202

BEFORE THE PUBIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKET NO. 2015-53-E

In re:	
)	PETITION TO INTERVENE
Application of Duke Energy Progress, Inc.	OF THE
To Establish a Distributed Energy Resource)	S.C. SOLAR BUSINSS ALLIANCE
Program)	
)	

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- 3) Petitioner is represented in this proceeding by:

Bonnie Loomis 1201 Main Street, Suite 1100, Columbia, South Carolina 29201

Telephone: 803-719-6202

- 4) SCSBA is organized for the purpose of promoting and advocating public policy positions supportive of solar power generation in South Carolina.
- 5) SCSBA is a manager-managed LLC whose current managers are the following individuals, all of whom conduct solar energy related business in South Carolina under the company names indicated:
 - A) Paul Fleury (Sustainable Energy Solutions, LLC)
 - B) Grant Reeves (TIG Sun Energy I and II, LLC),
 - C) Andrew Streit (SolBright Renewable Energy, LLC),
 - D) Don Zimmerman (Alder Energy Systems, LLC),
 - E) Bruce Wood (Sunstore Solar, LLC), and
 - F) Dave McNeil (Hannah Solar Government Services, LLC).
- 6) SCSBA's more than thirty (30) Trade Members include solar energy companies and professional service firms engaged in the business of solar energy generation in this state and across the nation. The majority of SCSBA's Trade Members are based in South Carolina. All of the SCSBA Managers' companies are based in South Carolina.
- 7) On behalf of these Trade Members' business interests and upon request of the South Carolina Office of Regulatory Staff ("ORS"), SCSBA past Board Chair Grant Reeves appeared before this Honorable Commission on April 16, 2014, for an Allowable Ex Parte Briefing to Discuss Solar Power Potential in South Carolina, including the impact on solar of, then, Senate Bill 1189 and, now, Act 236 of 2014 ("Act" or "the Act"). (See SCPSC Docket 2014-12-E)
- 8) On June 5, 2014, this Honorable Commission was petitioned by the ORS pursuant to Section 58-40-20(F)(4) of the Act to open a docket in compliance with the Act's requirement of a generic Commission proceeding "for the purposes of implementing the requirements of Chapter 40, Net Metering, with respect to the net energy metering rates,

tariffs, charges and credits of electrical utilities, and specifically to establish the methodology to set any necessary charges and credits." (See SCPSC Docket 2014-246-E) 9) Recognizing the broad implications of that proceeding, the General Assembly explicitly stated in the Act that "all interested parties shall be allowed to participate" and "propose methodologies" for setting net metering rates and credits in the generic proceeding. (See S.C. Code Section 58-40-20(F)(4))

- 10) On July 25, 2014, SCSBA petitioned this Honorable Commission to participate in Commission Docket 2014-246-E alleging that:
 - A) SCSBA had standing to intervene as an "interested party" pursuant to Section 58-40-20(F)(4),
 - B) SCSBA Trade Members had direct and material interests in the issues to be addressed and resolved by this Honorable Commission, and
 - C) SCSBA's interests could not be represented adequately by any other party.
- 11) In that Petition, SCSBA further alleged standing to intervene pursuant to the long-standing practice of this Honorable Commission to grant such Petitions when "it is in the public interest to grant the relief requested in the Petition so that the Commission may consider all of the relevant information in the instant proceeding" (See SCPSC Docket 84-10-C, Order No. 84-498, Page 2) and intervention of the Petitioning party will "aid us in developing a full record in this case" (See SCPSC Docket No. 95-835-C, Order No. 1999-20, Page 2) SCSBA additionally asserted that involvement of South Carolina's only solar trade alliance would unquestionably serve to promote the public interest, better allow this Honorable Commission to consider all of the relevant information and ensure the development of a full record in that Docket.

12) SCSBA's Petition in Docket 2014-246-E was not objected to by any Party or

Intervenor (many of whom are the same as those involved in this proceeding, Docket

2015-53-E) and, on August 20, 2014, this Honorable Commission granted Intervenor

status to SCSBA by approving the Petition.

13) SCSBA subsequently actively participated in the multi-party negotiations that

resulted in the settlement proposed to, and later approved by and made an Order of, this

Honorable Commission, in Docket 2014-246-E.

14) The SCSBA remains situated today as it was when this Honorable Commission

favorably viewed the standing allegations made in Docket 2014-246-E, which are recited

in Paragraphs 10 and 11 above. SCSBA, herein, re-states those standing allegations,

specifically those in Paragraphs 10B, 10C and 11, and respectfully invokes this

Honorable Commission's prior reasoning as the Commission gives consideration to this

Petition to Intervene in Docket 2015-53-E.

WHEREFORE, Petitioner prays that this Honorable Commission grant SCSBA's

Petition to Intervene in this docket and all related proceedings, including, but not limited

to, the ability to appear as a party, engage in discovery, and participate in all hearings by

offering testimony and exhibits and cross-examining the testimony and exhibits of other

parties. Petitioners request the receipt of all notices, documents, exhibits and data

submitted by all parties and the Commission's staff.

Respectfully submitted this 17th day of April, 2015,

Bonnie Loomis (SC Bar #15982)

1201 Main Street, Suite 1100, Columbia, South Carolina 29201

Telephone: 803-719-6202

BEFORE THE PUBIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKET NO. 2015-53-E

In re:	CERTIFICATE OF SERVICE
Application of Duke Energy Progress, Inc.) To Establish a Distributed Energy Resource) Program)	

The undersigned certifies that she has, this 17th day of April, 2015, served a copy of the PETITION TO INTERVENE OF SC SOLAR BUSINESS ALLIANCE in the above-captioned matter on the Representatives of all Parties and all Intervenors in this Docket listed in the attached five (5) page "Docket Detail" accessed this date and printed from the South Carolina Public Service Commission online Docket Management System. The undersigned further certifies that service was accomplished via electronic mail and via the United States Postal Service first-class, postage pre-paid mail with the envelopes addressed as shown in the attached.

Bonnie Loomis (SC Bar #15982)

1201 Main Street, Suite 1100, Columbia, South Carolina 29201

Telephone: 803-719-6202

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Opened On Monday, February 9, 2015

Status Open

Industry Electric

Summary Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program

Applicants (expand)

Total: 1

		-
Representatives		
(1) Representing Office of Regulatory Staff Andrew M. Bateman Office of Regulatory Staff Title: Counsel	1401 Main Street, Suite 900 Columbia, SC 29201	
(2) Representing Duke Energy Progress, Incorporated Charles Alex Castle Duke Energy Progress, Incorporated Title: Associate General Counsel	550 South Tyron Street/DEC45A Charlotte, NC 28201	
(3) Representing Wal-Mart Stores East, LP and Sam's East, Incorporated Derrick Price Williamson Spilman Thomas & Battle, PLLC Title: Counsel	1100 Bent Creek Blvd., Suite 101 Mechanicsburg, PA 17050	
(4) Representing Duke Energy Progress, Incorporated Frank R. Ellerbe, III Robinson, McFadden & Moore, P.C. Title: Counsel	Post Office Box 944 Columbia, SC 29202-0944	
(5) Representing Nucor Steel-South Carolina Garrett A. Stone Brickfield, Burchette, Ritts & Stone, PC Title: Counsel	1025 Thomas Jefferson St., NW Eighth Floor, West Tower Washington, DC 20007	
(6) Representing The Alliance for Solar Choice Joseph M. McCulloch Jr. Law Offices of Joseph M. McCulloch, Jr. Title: Counsel	1426 Richland Street Columbia, SC 29211	
(7) Representing Nucor Steel-South Carolina Michael K. Lavanga Brickfield, Burchette, Ritts &	1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, DC 20007	

Stone, P.C. Title: Counsel		
(8) Representing Sierra Club Robert Guild Robert Guild - Attorney at Law Title: Counsel	314 Pall Mall Street Columbia, SC 29201	
(9) Representing South Carolina Energy Users Committee Scott Elliott Elliott & Elliott, P.A. Title: Counsel	1508 Lady Street Columbia, SC 29201	
(10) Representing Office of Regulatory Staff Shannon Bowyer Hudson Office of Regulatory Staff Title: Counsel	1401 Main Street, Suite 900 Columbia, SC 29201	
(11) Representing Wal-Mart Stores East, LP and Sam's East, Incorporated Stephanie U. Roberts Spilman Thomas & Battle, PLLC Title: Counsel	110 Oakwood Drive, Suite 500 Winston-Salem, NC 27103	
(12) Representing The Alliance for Solar Choice Thadeus B. Culley Keyes, Fox & Wiedman LLP Title: Counsel	401 Harrison Oaks Boulevard, Suite 100 Cary, NC 27513	
Total: 12		

Intervenors (expand)

Total: 6

MatterID	Туре	Summary	Date	PDF(s)
256213	Directive Order	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Commission Directive - Agenda Item #9 - Staff Presents for Commission Consideration the Petition to Intervene Filed on Behalf of the South Carolina Energy Users Committee On behalf of: Clerk's Office	4/16/2015	Directive Order
<u>256218</u>	Directive Order	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Commission Directive - Agenda Item #10 - Staff Presents for Commission Consideration the Petition to Intervene Filed by the Sierra Club On behalf of: Clerk's Office	4/16/2015	Directive Order
256222	Directive Order	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy	4/16/2015	Directive Order

		Resource Program - Commission Directive - Agenda Item #11 - Staff Presents for Commission Consideration the Petition to Intervene Filed on Behalf of The Alliance for Solar Choice On behalf of: Clerk's Office		
256183	Exhibit	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Exhibit 1 to Kim H. Smith's Direct Testimony On behalf of: Duke Energy Progress, Incorporated	4/15/2015	Cover letter and Exhibit Cover Sheet
256168	Petition	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Petition to Intervene On behalf of: Solbridge Energy LLC and Energy Solutions, LLC	4/14/2015	Joint Petition Correspondence, Coversheet and Certificate of Service Cover Sheet
<u>256149</u>	Publisher's Affidavit	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Affidavit of Mailing Notice of Filing and Hearing to Affected Customers and Proof of Publication Posted in Following Newspapers: The State in Richland County, Cheraw Chronicle in Chesterfield County, The News and Press, Incorporated; in Darlington County; The Dillon Herald in Dillon County, The News Journal in Florence County, The Messenger in Darlington County, The News in Williamsburg County, the Marion Star and Mullins Enterprise in Marion County, the Progressive-Journal in Chesterfield County and The Item in Sumter County On behalf of: Duke Energy Progress, Incorporated	4/13/2015	Cover Sheet Scanned Matter
256027	Petition	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Petition to Intervene On behalf of: Sierra Club	4/2/2015	Scanned Matter
256036	Petition	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Petition to Intervene On behalf of: The Alliance for Solar Choice	4/2/2015	PETITION TO INTERVENE OF THE ALLIANCE FOR SOLAR CHOICE Cover Sheet

<u>255986</u>	Directive Order	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Commission Directive - Agenda Item #5 - Staff Present for Commission Consideration the Motion for Admission Pro Hac Vice of Garrett A. Stone, Esquire, and Michael K. Lavanga, Esquire, Filed on Behalf of Nucor-Steel South Carolina, a Division of Nucor Corporation On behalf of: Clerk's Office	4/1/2015	Directive Order
255988	Directive Order	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Commission Directive - Agenda Item #4 - Staff Present for Commission Consideration the Petition to Intervene on Behalf of Nucor Steel-South Carolina, a Division of Nucor Corporation On behalf of: Clerk's Office	4/1/2015	Directive Order
255882	Petition	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Petition to Intervene On behalf of: South Carolina Energy Users Committee	3/27/2015	Cover ltr, Petition to Intervene & Certificate of Service Cover Sheet
255846	Directive Order	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Commission Directive - Agenda Item #8 - Discuss with the Commission the Petition to Intervene Filed on Behalf of Wal-Mart Stores East, LP, and Sam's East, Incorporated On behalf of: Clerk's Office	3/25/2015	Directive Order
255852	Directive Order	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Commission Directive - Agenda Item #11 - Staff Presents for Commission Consideration Duke Energy Progress, Incorporated' Request for Confidential Treatment of the Exhibits to Direct Testimony of Jose I Merino On behalf of: Clerk's Office	3/25/2015	Directive Order

<u>255771</u>	Letter	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Letter Advising Receipt of Verified Applications Requesting Michael K. Lavanga and Garrett A. Stone Be Admitted Pro Hac Vice On behalf of: Supreme Court of South Carolina	3/20/2015	Letter Advising Receipt of Verified Applications Requesting Michael K. Lavanga and Garrett A. Stone be Admitted Pro Hac Vice
<u>255713</u>	Testimony	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Direct Testimony and Exhibits of Jose I. Merino, Emily O. Felt and Kim H. Smith (Merino's Exhibits Filed as Confidential) On behalf of: Duke Energy Progress, Incorporated	3/17/2015	Letter, Testimony and Exhibits Cover Sheet
<u>255687</u>	Motion	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Motion for Admission Pro Hac Vice of Garrett A. Stone and Michael K. Lavanga On behalf of: Nucor Steel - South Carolina	3/16/2015	Docket Cover Sheet Motion for Admission - Pro Hac Vice Cover Sheet
<u>255685</u>	Petition	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Petition to Intervene On behalf of: Nucor Steel - South Carolina	3/13/2015	Docket Cover Sheet Petition to Intervene Cover Sheet
255566	Petition	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Petition to Intervene On behalf of: Wal-Mart Stores East, LP, and Sam's East, Incorporated	3/5/2015	Cover Sheet, Letter, Petition to Intervene, Certificate of Service Cover Sheet
<u>255187</u>	Letter	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Proposed Procedural Schedule On behalf of: Duke Energy Progress, Incorporated	2/20/2015	Scanned Matter
<u>255199</u>	Transmittal Letter	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Transmittal Letter On behalf of: Clerk's Office	2/20/2015	Transmittal Letter
255200	Prefile Testimony Letter	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy	2/20/2015	Prefile Testimony Letter

		Resource Program - Prefile Testimony Letter On behalf of: Clerk's Office		
255201	Notice	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Notice of Filing and Hearing On behalf of: Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program	2/20/2015	Notice of Filing and Hearing
<u>255033</u>	General Matter	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program - Notice of Appearance of Counsel - Shannon Bowyer Hudson and Andrew M. Bateman On behalf of: Office of Regulatory Staff	2/10/2015	NOA & CoS Cover Sheet
255017	Application	Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program On behalf of: Duke Energy Progress, Incorporated	2/9/2015	Duke Energy Progress, Inc. Distributed Energy Resource Program (2-9-15) Cover Sheet

Orders			
Order#	Summary	Date	PDF(s)
2015-278	Order Granting Petition to Intervene - Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program	4/16/2015	Order No. 2015-278
2015-276	Order Granting Petition to Intervene - Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program	4/16/2015	Order No. 2015-276
<u>2015-242</u>	Order Granting the Motion for Admission Pro Hac Vice - Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program	4/1/2015	Order No. 2015-242
2015-241	Order Granting Permission to Intervene - Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program	4/1/2015	Order No. 2015-241
2015-217	Order Granting Request for Confidential Treatment - Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program	3/25/2015	Order No. 2015-217
2015-214	Order Granting Petition to Intervene - Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program	3/25/2015	Order No. 2015-214
2014-277	Order Granting Petition to Intervene - Application of Duke Energy Progress, Incorporated to Establish a Distributed Energy Resource Program	4/16/2015	Order No. 2015-277

Timeline	
Event	Date
Application Received	2/9/15

Issue Final Order	
All Other Parties Due Date	4/28/15
Proof Pub Due For Merits Hearing	4/17/15
Rebuttal Testimony Due Date	5/5/15
Return Date	4/17/15
Surrebuttal Testimony Due Date	5/12/15
Applicant/Complainant/Petitioner Testimony Due	3/17/15

Hearings		
Date	Status	Notes
Tuesday, May 19, 2015 @ 10:30 AM	Scheduled	Continuing to May 20th and 21st and further continued after these dates, if necessary

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